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ELI LILLY AND COMPANY

By KS Roades

Date 11-17-03

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Janet M. Hock, et al.)
Serial No. : 09/647,278)
Filed : September 26, 2000) Group Art. Unit:
For : Method of Increasing Bone) 1646
Toughness and Stiffness and)
Reducing Fractures) Examiner:
Docket No. : X-11965) R. Li

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Applicants submit herewith a request under 37 C.F.R. 1.114 for continued examination of the above-identified application. Applicants file this request and amendment in response to the Final Rejection dated April 30, 2003, Paper No. 14, and subsequent Advisory Action dated July 23, 2003.

Applicants also submit an Information Disclosure Statement, Form 1449, that cites three additional documents. Applicants have redacted non-material, proprietary information where appropriate in accordance with the provisions of MPEP §724.

Please amend the application as follows: Amendments to the claims begin on page 2 of this paper. Remarks begin on page 3 of this paper.



Image

164 b

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ELI LILLY AND COMPANY

By YSRoades

Date 11-17-03

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Janet M. Hock et al.)
Serial No. : 09/647,278) Attention:
Filed: September 26, 2000) Legal Instruments
For: Method of Increasing Bone Toughness and) Examiner G. Trammell
Stiffness and Reducing Fractures)
Docket No. : X-11965)

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attention: Mail Stop Sequence

Sir:

This is in response to a "Notice of Non-Compliant Amendment" under 37 CFR 1.121 dated November 7, 2003, noting that a complete listing of all claims was not present in the Preliminary Amendment filed on October 31, 2003.

Pursuant to this Notice, enclosed herewith are:

- 1) pages 1-2 of the Preliminary Amendment filed on October 31, 2003 containing the entire "Amendments to the Claims".

Respectfully submitted,

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November 17, 2003